

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: H. William BOSCH et al.
Title: NOVEL GLIPIZIDE COMPOSITIONS
Appl. No.: 10/701,064
Filing Date: 11/5/2003
Examiner: Susan T. TRAN
Art Unit: 1615
Confirmation Number: 6295

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of a document known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56.

A copy of each non-U.S. patent document and each non-patent document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed document is being submitted in compliance with 37 CFR §1.97(d), before payment of the issue fee.

RELEVANCE OF EACH DOCUMENT

Listed on the attached PTO/SB/08 are three Office Actions cited in related U.S. Patent Application Nos. 11/979,240, dated December 16, 2009; 11/898,274, dated October 23, 2009; and 10/667,470, dated December 29, 2009. The references cited by the Examiners in these Office Actions are also listed on the PTO/SB/08. These Office Actions are being cited within three months of receipt.

Also listed is a Notice of Reasons for Rejections from related Japanese Patent Application No. 2004-510760, dated December 2, 2009, and the references that were cited in that document. Please note that English language and/or U.S. counterparts have been provided for the non-English language Japanese references listed in the Notice of Reasons for Rejections. Document No. A4 (JP 2001-509518) in the Reasons for Rejections is not listed because the English language equivalent, *i.e.*, WO 99/02665, was cited in an Information Disclosure Statement in the captioned application previously.

Also listed is a Notice of Reasons for Rejection from related Japanese Patent Application No. 2004-521891, dated December 22, 2009. English language equivalents and/or English language translations have been provided for the foreign language documents.

Please note that JP 63-240936 and JP 6-227967 are not listed on the PTO/SB/08. These references were already cited in the present application.

Applicants respectfully request that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

STATEMENT

The undersigned hereby states in accordance with 37 CFR §1.97(e)(1) that items of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to filing of this Statement.

FEE

Fees in the amount of \$180.00 to cover the fee associated with an information disclosure statement under 37 CFR §1.97(d) are being paid by credit card via EFS-Web.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this submission under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment instructions in EFS-Web being incorrect or absent, resulting in a rejected or incorrect credit card transaction, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date: January 22, 2010

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